

GOVERNMENT **SIKKIM** **GAZETTE**



EXTRAORDINARY
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**GOVERNMENT OF SIKKIM
HOME DEPARTMENT
GANGTOK.**

No.18/HOME/2010

Dated:15/03/2010

NOTIFICATION

Whereas, the Hon'ble Supreme Court in SLP(C) No.8519 of 2006 'Union of India Vs. State of Gujarat & Ors. In its orders dated 29th September, 2009 and 16th February 2010 has issued directions that:

- (i) Henceforth no unauthorized construction shall be carried out or permitted in the name of Temple, Church, Mosque or Gurudwara etc. on public streets, public parks or other public places etc., and
- (ii) In respect of the unauthorized constructions of religious nature which have already taken place, the State Governments and the Union Territories shall review the same on case to case basis and take appropriate steps as expeditiously as possible. In this regard States and Union Territories should identify unauthorized construction of religious nature on public streets, public parks and public places and formulate comprehensive policy regarding the removal/relocation/regularization of the unauthorized construction within six weeks from the 16th of February, 2010 clearly indicating within what period the States and Union Territories are going to fully comply with its policy to remove/relocate/regularized the unauthorized construction.

And whereas appropriate Notification has already been issued by the State Government in accordance with the first part of the directions of the Hon'ble Supreme Court against establishment of new place of religious worships on any public place.

Now, therefore in compliance with the second part of the above directions of the Hon'ble Supreme Court in respect of unauthorized constructions of religious nature, which have already taken place, the State Government hereby constitutes district level committees to review such places of religious worship and give their recommendations to the State Government for removal/relocation/regularization of such unauthorized constructions in a time bound manner consisting of the following members.

(i)	District Collector of concerned district	-	Chairman
(ii)	District Superintendent of Police	-	Member
(iii)	Divisional Forest Officer (T) of the concerned Dist.	-	Member
(iv)	Representative of Roads & Bridges Dept.	-	Member
(v)	Representative of Ecclesiastical Affairs Dept.	-	Member
(vi)	Representative of Urban Dev. & Housing Dept.	-	Member
(vii)	Addl. District Collector of concerned district	-	Member Secretary

The terms of reference to the committee shall be as under: -

- (a) to identify the unauthorized places of religious worship in public streets, public parks or other public places in their respective districts within one month of the date of issue of this notification and,
- (b) Suggest to the State Government the proper course of action i.e. removal or relocation or regularization in respect of each of such unauthorized constructions.

The process of removal/relocation/regularization of such unauthorized constructions should be completed by 31st March, 2011.

By order and in the name of the Governor.

CHIEF SECRETARY.
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